

response to this action to three (3) months from the date thereof requiring a response to be filed on or before June 4, 2005, which was a Saturday, thereby making the formal response due date Monday, June 6, 2005.

REMARKS

Claims

Claims 39-45 and 51 through 57 are pending in this Application.

Claims 55-57 are withdrawn from consideration as being drawn to a non-elected invention.

Thus, Claims 39-45 and 51-54 are being prosecuted in the Application.

Double Patenting

The Examiner rejected Claims 39-45 and 51-54 under the judicially created doctrine of obviousness double patenting as being unpatentable over Claims 1-32 of United States Patent 6,799,474.

The Examiner stated, in part, as follows with respect to this rejection, to wit:

A timely filed terminal disclaimer in compliance with 37 CFR 1.312(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double

patenting ground provided the conflicting application or patent is shown to be commonly owned with this Application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer.

Applicant is proceeding as follows with respect to the above-referenced double patenting rejection.

Applicant confirms that this United States Patent Application Serial No.: 10/688,036 and United States Patent 6,799,474 are commonly owned by an Assignee, GLOBAL TECH SYSTEMS, INC., a New Mexico corporation.

Accordingly, the undersigned, as attorney of record, has duly executed and enclosed herewith a TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT on Form PTO/SB/26 together with a check in the amount of \$65.00 paying the terminal disclaimer fee of \$65.00 under 37 CFR 1.20(d), the filing of which overcomes the nonstatutory double patenting rejection.

Additional Fees

No additional fees are due with this COMMUNICATION.
However, if any additional fees are due herein, please charge the same to Deposit Account No. 13-2515.

Summary

With the filing of the TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT on Form PTO/SB/26 together with payment of the terminal disclaimer fee under 37 CFR 1.20(d), the double patenting rejection of Claims 39-45 and 51-54 have been overcome.

For these reasons, this Application is now in condition for allowance, and the Examiner is respectfully requested to issue a Notice of Allowability and formal Notice of Allowance.

Respectfully submitted,



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